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13 Rec'd PCT/PTO 05 DEC 2001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: David B. Kay

Examiner: Unknown

Serial No. PCT Application PCT/US96/13570, Filed 08/19/96 claiming priority to
Application No. 08/517,259

Filed: 08/23/95

Date: December 5, 2001

For: **OPEN HELICAL ORGANIC TISSUE ANCHOR AND METHOD OF
FACILITATING HEALING**

Commissioner of Patents and Trademarks
Washington, DC 20231

Sir:

STATEMENT OF LAURA F. SHUNK

I, Laura F. Shunk, hereby state that the enclosed Patent Application was deposited in the United States Postal Service, Express Mail Post Office, to addressee February 19, 1998. The paper was logged in at 19:10 p.m., addressed to the Assistant Commissioner for Patents and Trademarks, Box PCT, Washington, DC 20231. The Application was received in the U.S. Patent and Trademark Office as indicated by a copy of the returned postcard (incorrectly date stamped January 19, 1998). Further evidence of the receipt of this national phase entry is presented with the check for \$128.00, which was cashed by the U.S. Patent and Trademark Office.

Also enclosed herewith is a Petition to Reinstate, prepared and filed by the undersigned, March 12, 2001. After numerous conversations with the representatives of the U.S. Patent and Trademark Office, the original Petition to Reinstate was filed March 12, 2001. A Status Inquiry was filed July 23, 2001, with respect to the Petition to Reinstate. However, to date no action has been received with respect to this application.

Again, following numerous conversations with the Patent and Cooperation Treaty representatives, as well as the U. S. Patent and Trademark Office, it is assumed perhaps the problem with the Petition was that no U.S. Serial Number was corded the National Phase filing. Neither the U. S. Patent Office nor the Patent Cooperation Treaty Office appears to want claim jurisdiction for this application. The undersigned agent has been informed that the case has been assigned to the original Examiner for a parent application who is no longer with the Office. In any case, the Application has languished far too long, and deserves to be accorded a serial number and docketed to an active Examiner.

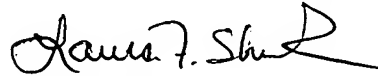
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Notice to such effect is earnestly solicited.

Respectfully submitted,

HUDAK & SHUNK CO., L.P.A.



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ATTORNEY DOCKET NO.: ORTHO-A-CIP-PCT-US